

Exhibit 13

1 UNITED STATES DISTRICT COURT

2 FOR THE WESTERN DISTRICT OF NEW YORK

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4 **BLACK LOVE RESISTS IN THE RUST, et al.,**
5 **individually and on behalf of a class of**
6 **all others similarly situated,**

7 Plaintiffs,

8 -vs-

1:18-cv-00719-CCR

9 **CITY OF BUFFALO, N.Y., et al.**

10 Defendants.
11 -----

12 **ORAL EXAMINATION OF LANCE RUSSO**

13 **APPEARING REMOTELY FROM**

14 **ERIE COUNTY, NEW YORK**

15
16 Friday, April 29, 2022

17 At 9:00 a.m. - 6:20 p.m.

18 Pursuant to notice
19

20 REPORTED BY:

21 Brooklyn Morton, Notary Public

22 APPEARING REMOTELY FROM ERIE COUNTY, NEW YORK
23

DEPAOLO CROSBY REPORTING SERVICES, INC.

135 Delaware Avenue, Suite 301, Buffalo, New York 14202
716-853-5544

R E M O T E A P P E A R A N C E S

APPEARING FOR THE PLAINTIFFS:

CENTER FOR CONSTITUTIONAL RIGHTS
BY: A. CHINYERE EZIE, ESQ.
666 Broadway, 7th Floor
New York, New York 10012
(212) 614-6475

APPEARING FOR THE DEFENDANTS:

HODGSON RUSS, LLP
BY: KATELYN A. RAUH, ESQ.
605 Third Avenue
Suite 2300
New York City, New York 10158
(646) 218-7528

ALSO PRESENT: **RAFAELA URIBE**, Center for
Constitutional Rights

DEPAOLO CROSBY REPORTING SERVICES, INC.

135 Delaware Avenue, Suite 301, Buffalo, New York 14202
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1 but it is specifically written under the
2 housing unit. I don't believe I read that
3 before.

4 Q. Okay. I will stop the screen share. Now,
5 what types of police activities did the
6 Housing Unit engage in during your almost
7 decade with the Housing Unit?

8 A. Everything that every district did and then
9 some. I mean, there was regular patrol, there
10 was enforcement of V&T, there were arrests, we
11 -- instead of getting calls, we would
12 follow-up on a lot of activity that occurred
13 that the districts would give us, as I stated
14 before. And then additionally, we would do
15 things districts -- not because they weren't
16 supposed to, but they clearly didn't have time
17 to do with as busy as the city is.

18 We followed up on a lot of complaints
19 within -- like, residential complaints within
20 the units. Our officers would walk the
21 properties, they would walk all the
22 high-rises. There was a lot of foot traffic
23 because we weren't call-to-call. So we wanted

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1 high visibility so that the residents there
2 felt a bit more at ease, as well as to deter
3 criminal activity, which unfortunately, there
4 was quite a bit of.

5 Officers would attend meetings,
6 community meetings, functions like that that
7 you would not attend within a district. That
8 would not be something that an officer would
9 be required to do. So things of that nature.

10 Q. Got it. Now, you mentioned that officers
11 would kind of walk the premises?

12 A. Correct.

13 Q. Is that something that was referred to as a
14 park and walk?

15 A. Yes.

16 Q. Okay. So in your own words, what is a park
17 and walk?

18 A. You respond to a location. Let's say, LBJ
19 Towers, just call it a park and walk. That
20 was a way of letting radio know what you were
21 doing. Park and walk at LBJ. You exit your
22 vehicle and you walk the stairwells of the
23 property, walk the perimeter of the property,

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1 and down the flights of stairs in a housing
2 unit to do inspections?

3 A. Yeah. But again, that was park and walk.
4 Maybe somebody referred to it as I am doing a
5 sweep of LBJ, but those were park and walks.

6 Q. Okay. And you mentioned that you did V&T
7 enforcement. What type of V&T enforcement?

8 A. Anything that pertained to V&T that was
9 noticeable. The range within the housing
10 units as far as the age ranges are everything
11 from little kids to the elderly to families
12 that are trying to raise their families in
13 some pretty crappy circumstances. So we got
14 lots of complaints about certain intersections
15 within locations where cars are blowing
16 through intersections and they are going to
17 kill somebody. You were in very tight corners
18 within -- I am sure you know this. Within a
19 lot of the locations within the city and there
20 are kids everywhere and a lot of blatantly
21 disregard.

22 So I would get emails or 311 complaints
23 or quite honestly, most of them came from

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1 people that would just call us or when I was
2 driving around they would stop us and say,
3 hey, can you follow-up on this, please?
4 Somebody is going to get killed. So I would
5 have a car crew assigned to a location to
6 monitor an intersection, let's say, a stop
7 sign within the projects where there is heavy
8 foot traffic, especially during, you know,
9 school hours or right after school, but that
10 can vary. Whenever there was an issue. And
11 those officers would either -- they would
12 observe and either write tickets or they could
13 simply be there as a deterrent so that people
14 saw the car and they would slow down. If you
15 do that long enough, it just started to
16 register.

17 There were times if you don't have
18 enough officers to man, even now you may see a
19 police car that is not manned. It is left
20 somewhere in the city, but somebody driving is
21 going to see that car and think it is a manned
22 vehicle. It is a deterrent. Again, it varied
23 depending on what you came across, like

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1 Q. Okay. And you stated earlier that you often
2 would schedule checkpoints after there was a
3 shooting; is that accurate?

4 A. Well, no. Not often. I used that as an
5 example of a checkpoint for -- I mean, it
6 could be for anything, but it was generally a
7 high -- an area after there was an incident.
8 It doesn't necessarily have to be a shooting.

9 Q. A crime incident?

10 A. Crime or somewhere we had a problem with. It
11 could have been a chase the night before,
12 anything like that.

13 Q. Okay. And was the thinking that the presence
14 of the checkpoint would deter crime?

15 MS. RAUH: Objection. Form.

16 A. That was part of it. I mean, again, it was --
17 the checkpoint is for V&T, but we also wanted
18 it for the high visibility and if that
19 resulted in various things, you know, keeping
20 the residents happy or ultimately deterring
21 crime, that was certainly a bonus, too.

22 Q. Okay. But, there was a relationship between
23 crime incidents and the checkpoint locations,

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1 STATE OF NEW YORK)

2) ss.

3 COUNTY OF ERIE)

4
5 I, Brooklyn Morton, Notary Public, in and for
6 the County of Erie, State of New York, do
7 hereby certify:

8 That the witness whose testimony appears
9 hereinbefore was, before the commencement of
10 their testimony, duly sworn to testify the
11 truth, the whole truth and nothing but the
12 truth; that said testimony was taken pursuant
13 to notice at the time and place as herein set
14 forth; that said testimony was taken down by me
15 and thereafter transcribed into typewriting,
16 and I hereby certify the foregoing testimony is
17 a full, true and correct transcription of my
18 shorthand notes so taken.

19
20 I further certify that I am neither counsel
21 for nor related to any party to said action,
22 nor in anyway interested in the outcome
23 thereof.

IN WITNESS WHEREOF, I have hereunto
subscribed my name and affixed my seal on this
19th day of May, 2022.

20 *Brooklyn Morton*

21 -----
22 Brooklyn Morton
23

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135 Delaware Avenue, Suite 301, Buffalo, New York 14202
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